

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYWANDA DENT, Individually, and as
Parent, Natural Guardian and Next Friend of
Tynell Jimmerson, a Minor,

Plaintiff,

vs.

UNITED STATES OF AMERICA, a
Governmental Entity,

Defendant.

8:23CV66

ORDER OF DISMISSAL

This matter comes before the Court on the parties' Stipulation of Dismissal (Filing No. 13). The Stipulation calls for dismissal with prejudice. The Court has been given no information to support the stipulation other than the representation of counsel that the plaintiff's guardian and next friend, and the plaintiff do not wish to pursue this case at this time. The Court finds that without a showing that a dismissal with prejudice is in the best interest of the minor, such dismissal cannot be supported. The Court further finds that a dismissal without prejudice is within the prerogative of the plaintiff and his next friend and guardian.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this action be dismissed without prejudice with each party to pay its own costs and attorney's fees.

Dated this 7th day of July, 2023.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge